

Attorney Docket No.: 944-1.70-2  
Serial No.: 10/781,325

REMARKS

The Office faxed a proposed Examiner's amendment on 9 November. The change to claim 1 proposed by the Examiner is indicated above as claim 1A. Applicant respectfully submits as a counter proposal claims 1B and 1C.

The Examiner explained that he wished to add to the claim a clarification that the message contains a change to the folders used to contain the data in the first device. Applicant's attorney argued that the claims as recited do encompass such a change, in view of the recitation in the preamble of "the folders in combination defining a data structure" and then, in the body of the claim, reciting "information about a change in the data structure of the first device is also transmitted in the message."

The Examiner responded that some of the language applicant is relying on is recited in the preamble and it is arguable whether it is to be given weight.

Applicant respectfully submits that the language of either claims 1B and 1C do address the concerns by the Examiner, and are preferable to the change made by the Examiner in that the change made by the Examiner would be arguably redundant to what is already present (in view of the preamble language), and further, more clearly allows for communicating in the message not only a change to existing folders, but also the addition of a new folder.

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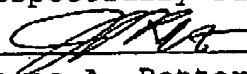
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Applicant therefore respectfully asks that the Examiner consider either claims 1B or 1C or both, instead of claim 1A.

Nov. 12, 2005  
Date

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Respectfully submitted,

  
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